

JOURNAL OF THE HOUSE.

Monday, September 18, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

In a spirit of trust and faith, we turn our minds and hearts to You, Gracious God. We are grateful for Your personal concern for our total well-being and for the love and concern of our families, relatives and friends. On the eve of this year's state-wide elections, we are thankful for the benefits and the right to vote, which we enjoy as citizens of the Commonwealth and country. Teach us to cast our vote for candidates who address and promote our priorities and values, the great and current needs of all people in our changing communities and the common good of all throughout the state. Help us to build a safe, peaceful and stable society now and for the future.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor submitting requests for making an appropriation for the fiscal year 2006 to provide for supplementing the bulletproof vest reimbursement grant program (House, No. 5294) was filed in the office of the Clerk on Thursday, September 14.

Supplemental
appropriations,
bulletproof
vests.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Appointment to a Special Task Force.

The Speaker announced the appointment of Representative Koutoujian of Waltham to the special task force established (under Chapter 81 of the Acts of 2006) to study, report and draft standards and regulations regarding medical spas and the use of related procedures including, but not limited to, laser light and radiofrequency devices, chemical peels, soft tissue fillers or augmentation, microdermabrasion techniques, laser hair removal, botulinum toxin, sclerotherapy and any act or procedure that uses a biologic or synthetic material, chemical application, mechanical device or displaces energy of any kind.

Medical
spas,
procedures.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Ovarian Cancer

Awareness
Month.

Suffolk
University.

St. Mary's.

Resolutions (filed by Mr. Koutoujian of Waltham and other members of the House) recognizing September as "Ovarian Cancer Awareness Month";

Resolutions (filed by Representatives Miceli of Wilmington, DeLeo of Winthrop, Honan of Boston, Hynes of Marshfield, Parente of Milford and Ross of Wrentham) congratulating Suffolk University on its one hundredth anniversary; and

Resolutions (filed by Mr. Smola of Palmer) congratulating St. Mary's of Bondsville on the occasion of its one hundredth anniversary;

Mrs. Parente of Milford, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Festa of Melrose, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

Bills

Eliminating the property holdings cap for the Boston Public Library (Senate, No. 2484, amended by adding at the end thereof the following section:

"SECTION 2. This act shall take effect upon its passage.") (on a petition);

Establishing a nursing facility conversion program (Senate, No. 2574, amended in section 2, in line 11, by inserting after the word "Inc.," the words "a representative from Hearth, Inc.") (on Senate bill No. 381);

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2720) of Therese Murray for legislation to authorize certain terms for borrowing by the town of Falmouth for the acquisition and operation of a golf course. To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, Senate, No. 2721) of Steven A. Baddour for legislation relative to MBTA fare evasion. To the committee on Transportation.

The following notice was received from the Clerk of the Senate, to wit:

September 15, 2006.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Boston
Public
Library.

Nursing
facility
conversion
program.

Falmouth,
golf course.

MBTA
fare.

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Robert E. Travaglini, President of the Senate, has announced his appointments to the Permanent Special Commission established (pursuant to Chapter 258 of the Acts of 2006) on the status of citizens of Asian descent.

The appointees are as follows:

Mr. Tackey Chan — serving a term of one year;

Mr. Gene Hartigan — serving a term of two years; and

Dr. George King — serving a term of three years.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Michael A. Costello relative to the rates of interest to be charged upon apportioned betterment assessments by the town of Newbury and the city of Newburyport for the extension of water and sewer services to Plum Island. To the committee on Municipalities and Regional Government.

Petition (accompanied by bill) of Bruce E. Tarr and Charles A. Murphy (by vote of the town) that the Personnel Administrator of the Commonwealth be directed to certify Darryl Sencabaugh as a fire fighter in the town of Wilmington. To the committee on Public Service.

Petition (accompanied by bill) of David M. Torrisi and others for legislation to designate a certain bridge in the city of Lawrence as the Charles F. Nyhan, Sr. Bridge. To the committee on Transportation.

Under suspension of the rules, on motion of Mr. Rushing of Boston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill establishing a sick leave bank for a certain employee of the Department of Social Services (Senate, No. 2665, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Rushing of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Asian-American
citizens,
status.

Plum Island,
sewer
and water.

Wilmington,
Darryl
Sencabaugh.

Lawrence,
Nyhan
bridge.

Patricia
Miller,
sick leave.

Leicester,
development.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on a petition, a Bill partially releasing a non-development covenant restriction on certain land in the town of Leicester (House, No. 5143). Read; and referred, under Rule 33, to the committee on Ways and Means.

Lanesborough,
validate
election.

By Mr. Petruccelli of Boston, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill validating the action taken at the town election held by the town of Lanesborough (printed in House, No. 5121). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Bill
enacted.

Engrossed Bill.

The engrossed Bill granting retirement benefits to Dennis Mullen (see House, No. 4419) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Third
reading
bill.

Orders of the Day.

The Senate Bill authorizing the town of Bellingham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2347) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bills.

House bills

Providing for recall elections in the town of Littleton (House, No. 4072);

Relative to the charter of the city of Somerville (House, No. 4643) (its title having been changed by the committee on Bills in the Third Reading); and

Establish a sick leave bank for Leo D. Shea, an employee of the Trial Court (House, No. 5252);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Festa of Melrose (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.